

Exhibit 25

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK

BLACK LOVE RESISTS IN THE RUST, et al.,
individually and on behalf of a class of
all others similarly situated,

Plaintiffs,

vs.

1:18-cv-00719-CCR

CITY OF BUFFALO, N.Y., et al.,

Defendants.

ORAL EXAMINATION OF PATRICK ROBERTS

APPEARING REMOTELY FROM

ORCHARD PARK, NEW YORK

Wednesday, April 20, 2022

9:15 a.m. - 4:28 p.m.

pursuant to notice

REPORTED BY:

Luanne K. Howe

APPEARING REMOTELY FROM CUYAHOGA COUNTY, OHIO

1 A Okay. So there would be weeks where I would have
2 zero hours overtime. There would be weeks where I
3 had ten or twelve hours. There would be weeks when I
4 had twenty.

5 Q All right. And let's discuss -- we'll come back to
6 that amount when we are talking about your duties as
7 Housing Unit.

8 So is your pension based on your -- is your
9 pension based both on your salary, overtime, court
10 time?

11 A Yes. So my pension is based on the average of the
12 highest earning three years of my career. And I
13 should note that at no time in my career, including
14 patrol and lieutenant and captain, had my salary ever
15 decreased whether or not there was, you know,
16 overtime or court pay or whatever.

17 It was a steady increase, so there was never
18 like a time where I was -- I would have said, oh, I'm
19 going to retire, I'm going to work hard and make lots
20 of money. You know, I'm sure you have access to my
21 earnings or if you don't, it was a steady increase
22 throughout the years.

23 Q Okay. Why did you leave the Buffalo Police

1 when I was in districts and I was a captain in the
2 units and there was a level of supervision between me
3 and these officers. So in other words, there were
4 lieutenants, so I was probably more seen as -- I
5 don't want to say like a big wig, but I was -- there
6 was a layer of supervision between me and them that
7 there was not when I was in the districts.

8 Q Okay. Did you conduct performance evaluations of
9 your officers?

10 A Our department did not require that.

11 Q Oh, okay. So did -- so no one conducted evaluations
12 of your officers?

13 A I can't say that no one did, but I didn't. It would
14 be more informal.

15 Q How did you know whether your officers were
16 adequately performing their job?

17 A I was present. I could see it.

18 Q Uh-huh.

19 A And they were -- they were a highly motivated group.
20 They were on patrol.

21 Q What do you mean by "highly motivated"?

22 A Well, you know, there's -- maybe in your office as
23 well, where some people, they get their job done.

1 motivating thing for some.

2 Q All right. I'm going to show another email. Okay.

3 This is Bates Number COB038684 marked as Roberts

4 Exhibit 64. You can take a minute to read it.

5 A So this is --

6 Q So can I ask the question?

7 A Yeah, sure.

8 Q All right. So this is an email from -- I just want
9 to direct you to the particular part of the email
10 that this question relates to. This is an email from
11 you to lieutenants where you request that they -- you
12 state that morale is great and that you -- you state
13 that -- you state to them, "Make sure overtime
14 details generate good numbers and do separate
15 checkpoint sheets for each location." What did you
16 mean by "generate good numbers"?

17 A Well, if you call in people for overtime and they sit
18 on their hands, there's going to be no productivity
19 there, so basically go out and do your job.

20 Q So how many tickets would be good numbers to you?

21 A I don't know if it was tickets necessarily. Just
22 arrests. Sometimes wording can be clumsy. It's an
23 email. But I don't know. I guess if you had -- what

1 number of officers? You tell me. Like ten officers?

2 We shouldn't have, you know, no tickets
3 observed, no arrests. That would be unacceptable. I
4 mean, there's crime going on like crazy, so just go
5 do your job. That was my clumsy way of saying go do
6 your job.

7 Q Okay. Would you say Strike Force and Housing Unit
8 officers were expected to generate significant
9 numbers of traffic tickets, arrests, summons, parking
10 tags, impounds?

11 A I would say they were expected to do their job, and a
12 lot of it was so obvious in the high crime areas.
13 Just go -- they had to go do their job.

14 Q Okay. What was obvious in terms of high crime areas?

15 A Violations of the vehicle and traffic, open burning
16 of drugs, you know, gang activity on corners,
17 fleeing, pitching weapons, officers pursuing things
18 based on tips they received from informants. It was
19 never-ending.

20 Q All right. And would you say that there were more
21 vehicle and traffic -- I'm sorry. I'm going to
22 withdraw that question.

23 I'm going to show Exhibit 69. This is

1 STATE OF OHIO)

2 COUNTY OF CUYAHOGA)

3 I, Luanne K. Howe, Notary Public, in and for the
4 County of Cuyahoga, State of Ohio, do hereby certify:

5 That the witness whose testimony appears
6 hereinbefore was, before the commencement of his testimony,
7 duly sworn to testify the truth, the whole truth and nothing
8 but the truth; that said testimony was taken remotely
9 pursuant to notice at the time and place as herein set
10 forth; that said testimony was taken down by me and
11 thereafter transcribed into typewriting, and I hereby
12 certify the foregoing transcript is a full, true and correct
13 transcription of my shorthand notes so taken.

14 I further certify that I am neither counsel for
15 nor related to any party to said action, nor in any way
16 interested in the outcome thereof.

17 IN WITNESS WHEREOF, I have hereunto subscribed my
18 name and affixed my seal this 29th day of April, 2022.

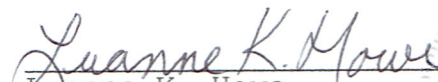
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Luanne K. Howe
Notary Public - State of Ohio

My commission expires 10-07-24

